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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/526,980

03/07/2005

Yasuhiro Hase

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01/30/2008

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EXAMINER

THOMAS, BRADLEY H

ART UNIT

PAPER NUMBER

2835

MAIL DATE

DELIVERY MODE

01/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation of PTOL-303, Section 11

1. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the core (16) of Koch was used in combination with the overall fuse as taught by Hase. Regardless if the core member comprises in part a "filler having water of hydration" (see attached definition(s)), the examiner believes that the core (16) of Koch, being "adapted to evolve gas in the presence of an arc" (col. 4, lines 62-67) meets the requirements of the core as claimed in that both core members evolve gas when heated, thereby further proliferating the destruction of the core, and thus aiding in the prevention of arcing. Even assuming *arguendo* that the core of Koch is not explicitly taught as being a gas-containing material, the examiner respectfully submits that the core was disclosed as being an "electrically insulating material" in the form of a "thermosetting composition" (see col. 4, lines 62-67), and thereby (being a composition) would inherently contain inevitable impurities (such as air bubbles, which contain air (i.e. a gas)) and would thus serve to satisfy the claimed requirements of the core member being a "gas-containing material".

Lastly, in regards to Applicant's argument on page 3 regarding the tensile strength of the core, the examiner respectfully submits that the *degree* of strength of the core is not claimed in the instant application.

In view of the above, the rejection is hereby maintained.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRADLEY H. THOMAS whose telephone number is (571)272-9089. The examiner can normally be reached on 7:00am - 3:30pm (Eastern).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash N. Gandhi can be reached on 571-272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2835

If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Bradley H. Thomas
Examiner
Art Unit 2835

BHT

//Anatoly Vortman//
Primary Examiner, Art Unit 2835